8753035/2024/VIG-III-MAU01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Rajampet Municipality – Allegation of misappropriation of Municipal funds - Disciplinary Proceedings instituted against Sri P. Narasimha Murthy, former MC (Retd), Rajampeta Municipality under Rule-20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 – Inquiry conducted – Penalty of withholding 10% pension for a period of (5) years – Imposed - Orders - Issued.

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MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (Vig.III) DEPARTMENT

G.O.Rt.No.371 **Dated.08.04.2024**

Read the following:-

1. From CDMA, AP, Hyderabad, Lr. Roc.No.24493/2011/A2, Dt. 05.05.2012 & Dt.23.02.2015
2. G.O.Ms.No.104, MA&UD(Vig.II-2) Dept., dt: 29.04.2015.
3. G.O.Rt. No's.300-301, MA&UD(Vig.II-2) Dept.,dt: 29.04.2015.
4. WSD of Sri P. Narasimha Murthy, former MC (Retd), Rajampeta Municipality, dt.19.06.2015.
5. G.O.Rt.No.733,MA&UD(Vig.II-2) Dept., dt.07.11.2015
6. From Sri P. Chandra Mouliswar Reddy, Enquiry Officer & then Deputy Commissioner, Tirupathi Municipal Corporation, Lr. RoC.No.857/2017-C1, dt.21.01.2021
7. Govt. Memo No.12559/Vig.III-2/2012, dt.20.09.2021.
8. Written explanation dt.29.07.2022 from Sri P. Narasimha Murthy, former MC (Retd), Rajampeta Municipality.
9. Govt. Memo No.12559/Vig.III-2/2012, dt.12.06.2023.
10. Written representation dt.26.03.2024 of Sri P. Narasimha Murthy, former MC (Retd), Rajampeta Municipality.

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O R D E R:

Based on the report of Commissioner & Director of Municipal Administration, AP.,(C&DMA) in the reference 1st read above, Government initiated disciplinary proceedings and framed article of charges against Sri P. Narasimha Murthy, former MC (Retd), Rajampeta Municipality and one another on the allegation of misappropriation of Municipal funds, with a direction to submit their written statement of defenses within 15 days from the date of receipt of order, vide reference 3rd read above.

2. In reference 4th read above, the charged officer has submitted his written statement of defense, wherein, among others, he narrated the procedure and negligence of subordinate staff and issuance of memo to them, requested to drop further action against him.

3. Government, after examining the written statement of defenses submitted by the charged officers and having not convinced with their explanations, appointed Inquiring Authority to inquire into the charges framed against the two charged officers, vide 5th read above.

4. The Inquiry Authority in reference 6th read above has furnished Inquiry report and held that the charges against Sri P. Narasimha Murthy, former MC (Retd), Rajampeta Municipality are not proved. Government have examined the findings of Inquiry Officer and after careful consideration disagreed with the findings of Inquiry Officer with the following reasons:-

1. Misappropriation of funds have been proved, since the said amount has been remitted by Kum I. Jeevarathnamma, the then Junior Assistant, when it was noticed. It shall be treated as temporary misappropriation.

2. Both the charged officers have not taken care in dealing with cash transactions and not followed the proper procedure of verification of accounts for a period of three consecutive financial years. Hence, the dereliction of duties on both the C.Os. are held proved.

3. The Municipal Commissioner is overall in charge of the Municipality. But, he failed in discharging his legitimate duties. Due to his negligence, the misappropriation of funds have been arisen.

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5. In reference 7th read above, a copy of the inquiry report along with the above disagreement factors was communicated to Sri P.Narasimha Murthy, former MC (Retd), Rajampet Municipality for submitting his written representation to the Government within 15 days. In turn, Sri P.Narasimha Murthy, former Municipal Commissioner (Retd.,), Rajampeta Municipality has submitted his written representation vide reference 8th read above. The Written explanation of the charged officer has been examined and it is observed that it is nothing but reiteration submitted before the inquiring authority.

6. After considering the entire matter, it has been decided to impose a penalty of withholding 10% pension for a period of (5) years against Sri P.Narasimha Murthy, former MC (Retd), Rajampet Municipality and accordingly a show cause notice has been issued vide reference 9th read above directing him to show cause as to why the above proposed penalty shall not be imposed against him.

7. In reply, the charged officer has submitted his written representation vide reference 10th read above, while stating among others, has requested the Government to exonerate him from the charges and kindly drop further action proposed to be initiated against him in the matter sympathetically. After examination of the written representation, it has been observed that the charged officer has not put forth any new valid grounds.

8. Accordingly, after careful examination of the charges, findings of Inquiry Authority and disagreement factors and explanation of the charged officer, Government hereby impose a penalty of withholding 10% pension for a period of (5) years against Sri P.Narasimha Murthy, former MC (Retd), Rajampet Municipality in terms of Rule-9 of APCS(CCA) Rules, 1991, as he was failed in discharging his legitimate duties and due to his negligence, the misappropriation of municipal funds of Rs.1,58,650/- pertaining to Tap donations, Betterment Charges & Development charges in Rajampet Mnicipality has been arisen during the years 2007-2008 & 2009-2010.

9. The Commissioner & Director of Municipal Administration, AP., Vaddeswaram shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Y. SRILAKSHMI
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri P.Narasimha Murthy, former MC (Retd), Rajampet Municipality **through** the C&DMA, AP., Vaddeswaram.
The Commissioner & Director of Municipal Administration, AP., Vaddeswaram.
The Commissioner, Rajampeta Municipality.

Copy to:
The PS to M (MA & UD).
The Secretary to APVC.
Sf/Sc (E 271519).

//FORWARDED :: BY ORDER//

SECTION OFFICER